

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2:08CR006-MPM-EMB

JAMES MOWERY

ORDER

This cause comes before the Court on Defendant James Mowery's Motion for an Order Requiring the Prosecution to Give Notice of Its Intention to Use Other Crimes, Wrongs or Acts Evidence [doc. 12]. Defendant requests an order requiring the government to give two weeks notice prior to trial of its intent to use evidence of other crimes, wrongs or acts at trial pursuant to Rule 12(b)(2) of the *Federal Rules of Criminal Procedure* and Rules 104 and 404 of the *Federal Rules of Evidence*. Because the government has failed to respond to Defendant's Motion, the same is hereby **GRANTED** as unopposed; and the government shall notify Defendant at least two weeks prior to trial of any evidence it will seek to introduce pursuant to F.R.E. 404(b).

SO ORDERED this 6th day of March, 2008.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE